



# REPORT

from the Capital

## BJC says Oklahoma anti-Sharia law is unconstitutional

WASHINGTON — An Oklahoma constitutional amendment dealing with Islamic Sharia law is unconstitutional says the Baptist Joint Committee for Religious Liberty. In a friend-of-the-court brief, the BJC joined other religious liberty advocates in arguing that the voter-approved amendment violates the Establishment Clause.

In November 2010, Oklahoma voters approved an amendment to the state constitution that barred any legal enforcement of Sharia law, which it defines as “Islamic law” that “is based on two principal sources, the Koran and the teaching of Mohammed.”

Muneer Awad, the executive director of the Oklahoma Council for American-Islamic Relations, filed a lawsuit against the so-called “Save Our State Amendment.” A U.S. District Court judge found that the amendment violated the Constitution and issued a preliminary injunction to stop the Oklahoma State Election Board from certifying the election results. That ruling is on appeal to the 10th U.S. Circuit Court of Appeals. The BJC says that the ruling should be affirmed.

“The amendment’s dual specific references to Sharia law — and to no other religious tradition — have the unambiguous effect of communicating official disapproval of Islam,” the brief states. The brief notes that the U.S. Supreme Court has said the “clearest command of the Establishment Clause is that one religious denomination cannot be officially preferred over another,” and it notes the constitutional imperative for “equal treatment of all religious faiths without discrimination or preference.”

“This amendment singles out one



religious tradition for disfavor under the law,” said K. Hollyn Hollman, general counsel of the Baptist Joint Committee. “It threatens to give official recognition to fear and suspicion of a minority religion.”

“[T]he Save Our State Amendment is not narrowly tailored to a compelling government interest,” the brief states. “To the contrary, it is devised to combat a problem that Oklahoma has never even encountered — and it does so in a manner that brands members of a tiny religious minority as pariahs.”

The brief continues, “Any argument that the Save Our State Amendment passes constitutional muster because its purpose is to target Sharia, rather than Islam per se, misses the point. ... For purposes of the Establishment Clause, there simply is no meaningful distinction between a purpose of targeting Islam and a purpose of targeting Islamic law.”

The brief was also signed by the American Jewish Committee, Americans United for Separation of Church and State, The Anti-Defamation League, The Center for Islamic Pluralism, The Interfaith Alliance and the Union for Reformed Judaism.

— Staff Reports

Magazine of the  
Baptist Joint Committee

Vol.66 No. 6

June 2011

### INSIDE:

- ❑ USAID rule . . . . .2
- ❑ Flags in church . . .4
- ❑ Anniversaries . . . . .6
- ❑ Blog analysis . . . . .8

[www.BJConline.org](http://www.BJConline.org)  
[www.BJConline.org/blog](http://www.BJConline.org/blog)

[Facebook.com/ReligiousLiberty](https://www.facebook.com/ReligiousLiberty)  
[Twitter.com/BJContheHill](https://twitter.com/BJContheHill)



# BJC: proposed rule would undercut U.S. commitment to religious freedom, conflict with Obama Executive Order

WASHINGTON — The Baptist Joint Committee has filed written opposition to a proposed rule that would “severely undercut the U.S. commitment to religious freedom at home and abroad” by allowing the U.S. Agency for International Development (USAID) to use federal funds to acquire, construct or rehabilitate “structures that are used, in whole or in part, for inherently religious activities.”

The USAID is an independent agency that provides economic, development and humanitarian assistance around the world in support of the foreign policy goals of the United States. Among other things, it provides funding through grants and contracts to organizations, including religious ones, to carry out its mission.

The BJC has long supported the role of religious organizations in partnering with the government to provide needed services in ways that advance governmental interests but do so without the threat of government-sponsored religion. In comments to Ari Alexander, the director of the Center for Faith-based and Community Initiatives at USAID, BJC General Counsel K. Hollyn Hollman asked that the proposed rule be withdrawn.

The current rule, adopted in 2004, states that religious organizations may compete for USAID funding on the same basis as any other organization, but they must follow regulations which forbid using the funds to acquire, construct or rehabilitate buildings for religious purposes. Such regulations are consistent with constitutional standards used to enforce the Establishment Clause of the First Amendment and allow religious organizations to compete for USAID funding without running afoul of the prohibition on the government funding of religious activity,

Hollman wrote.

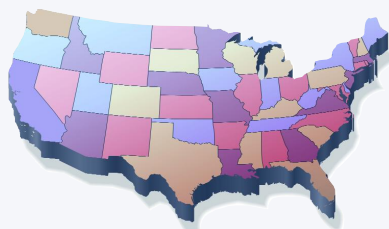
The proposed rule would create a regulation that invites USAID funding to be used for the advancement of religion. It would conflict “with U.S. Supreme Court standards, as well as the position of the Obama Administration in its efforts to strengthen the legal basis for federal policy governing the relationship between the government and the nongovernmental entities that receive government funding and administer government programs,” Hollman wrote.

The Obama administration’s policies on government partnerships with faith-based organizations were clarified in a 2010 Executive Order issued following a year-long process in which a task force prepared and submitted recommendations for reform that were adopted by President Obama’s Advisory Council on Faith-Based and Neighborhood Partnerships. BJC Executive Director J. Brent Walker served on this task force.

The notable changes to federal policy in the Executive Order sharpen distinctions about what is and is not allowed in a program that is directly funded by the government and strengthen compliance. Specifically, organizations are forbidden from engaging in “explicitly religious” activities in the course of a program that receives direct federal financial assistance.

Hollman said it is puzzling that the proposed rule would not implement the standard set forth in the Executive Order, but instead would mark a disturbing departure from the improvements in federal policy that the Order represents.

—Staff Reports



## State updates

If you have a question about a religious liberty issue in your state, the Baptist Joint Committee is a resource for you.

### North Dakota: religious liberty amendment

The June 2012 ballot will have a proposed constitutional amendment that says, in part, “Government may not burden a person’s or religious organization’s religious liberty.” The measure states that actions stemming from a “sincerely held religious belief” may not be burdened unless the government proves a compelling interest. Supporters collected more than 28,000 signatures to get the measure on the ballot.

### Kentucky: tax rebates for Bible park

The Kentucky Tourism Development Finance Authority voted to grant up to \$43 million in state sales tax rebates for a Bible-based theme park that will include a full-size replica of Noah’s Ark and the Tower of Babel. The park is financed by a group of private investors and is expected to open in 2014.

—Cherilyn Crowe

# REFLECTIONS

## Debunking other identified myths

My recent efforts to answer lies and misunderstandings about the separation of church and state have been appreciated by readers of this publication and by others. Certainly the likes of David Barton seem to be on a tear (featured on “The Daily Show” no less!) seeking to convince Americans that this is a Christian nation and that there should be no wall of separation between church and state.

So, I was delighted when an op-ed appeared in *The Washington Post* in April by David Sehat, a history professor at Georgia State University, titled “5 Myths about Church and State.” His piece appeared in many other papers and was an object of great interest on Facebook and other social media and the Internet generally.

Sehat’s myths differ from mine, but his efforts, with one correction, were on target and well reasoned. Let me respond briefly to what he had to say. These are the myths that he identified:

**Myth 1: The Constitution has always protected religious freedom.**

Sehat correctly points out that the First Amendment originally applied only to the federal government and, in that sense, did not “protect religious freedom” at the state level. Some states continued to provide financial benefits to religion or, at the very least, still tended to favor Christianity during the early decades of the 19th century. Of course, today, the First Amendment protects religious freedom at all levels of government (and branches within each level) against state-sponsored attempts to advance or inhibit religion.

**Myth 2: The Founders’ faith matters.**

Sehat makes the case that the Founders were not all devout evangelical Christians but, as sons of the Enlightenment, expressed a variety of religiosity. He correctly points out that whatever their religious views, Founders wanted to ensure against violations of religious liberty at the federal level, but preserve, at least for a while, the status quo in the states. He asserts, mistakenly in my view, that the Founders promised only to keep the federal government from preferring one religion over another or one Christian denomination over another. This is not true. The language adopted in the First Amendment, taken together with the Constitution’s no religious test clause in Article VI, indicates that the Founders did not want the federal government to get involved in or promote religion at all.

**Myth 3: Christian conservatives have only recently taken over politics.**

Sehat correctly debunks this myth. Conservative

evangelicals — as well as religious liberals for that matter — have always been involved in politics. From fighting against slavery, for women’s rights, against wars, for civil rights and promoting economic justice, people of faith have advocated in the public square through out our history. He rightly points out these examples of public advocacy were just as divisive as debates we have today about the death penalty, abortion or gay marriage. Although some people of faith — notably those coming out of an Anabaptist tradition — have abjured politics, most have been willing to seek to transform culture by political engagement.

**Myth 4: America is more secular than it used to be.**

In many ways our culture seems to have coarsened in recent years. But Sehat correctly points out that the low point in American history for church membership, for example, was just before the American Revolution. Sociologists have estimated that church membership in the 1770s was no more than 20 percent of the population. Contrast that with contemporary American life where, at the turn of this century, 62 percent of the population belonged to religious institutions. Recent polls show that only 14 percent claims no religious affiliation at all. Not all of these are non-believers; many say they are “spiritual” while avoiding membership in a religious group. Moreover, the public expression of religion is clearly on the rebound. Unabashed talk of religion from American presidents, at least from President Jimmy Carter forward, attests to that fact. Maybe the biggest lie of all is that we have a “naked public square” when it comes to religion.

**Myth 5: Liberals are anti-religious.**

Sehat rightly points out that, whether you call them liberals or conservatives, those who advocate for a healthy understanding of the separation of church and state are not against religion; they are simply trying to preserve religious *liberty* for others as well as themselves. Insisting on voluntary religious choices and keeping government from meddling in religion one way or another are not acts of hostility toward religion, but gestures of sympathy for the importance of religion and the fragility of religious liberty.

Sehat’s article in the press and online has served our cause well by opposing those with theocratic ambitions and who, at a minimum, think the United States ought to privilege Christianity both culturally and legally.

We need as many voices as we can muster to push back against such claims. Make sure you join in, too.



J. Brent Walker  
Executive Director



# Should American flags be in church sanctuaries?

In times of heightened patriotism or in the weeks sur-

rounding patriotic

holidays, the Baptist Joint Committee often receives inquiries about the propriety of flying the American flag in church. Should American flags be displayed in Baptist churches? The short answer is yes, but only in certain places and at special times.

Of course, this practice does not constitute a constitutional violation. The First Amendment's Establishment Clause bars government endorsement of a religious message; it does not prohibit a church from endorsing a patriotic symbol. The objection to the routine display of an American flag in the sanctuary is that it represents an act which, for some, including me, raises serious theological concerns.

At worst, the placement of an American flag at the front of the sanctuary can result in "flag worship" — a form of idolatry. At best, when the American flag is placed alongside of the Christian flag, it signals equivalence between the Kingdom of God and the kingdom of Caesar. Christians know that this is not the case. **We are citizens of two kingdoms.** We are to respect our governmental institutions and pray for our governmental leaders, but that must always be secondary to our commitment to God. Faith in God is superior to love of country; allegiance to God transcends all nationalism.

In any case, displaying the American flag in the sanctuary in America diminishes our ability to reach out to non-Americans. It sends an unfortunate signal to believers and unbelievers alike from around the world that somehow the Kingdom of God and the United States of America are either the same or are on equal footing.

Even if it is not advisable to display the flag routinely in the worship

**BY J. BRENT WALKER**  
**BJC EXECUTIVE DIRECTOR**

center, there are other opportunities to show and celebrate the flag.

Here are several ideas:

**1. It is appropriate to display the flag, even in the sanctuary, on special occasions.**

These include the day of worship closest to the Fourth of July when we celebrate our country's independence, religious freedom day when we express gratitude for the freedom we enjoy as Americans, and yes, even in times of national crisis and mourning. However, even then, the flag should be positioned in a way that does not signify equivalence with the Kingdom of God.

**2. It is also fitting to display the American flag along with flags from other countries.**

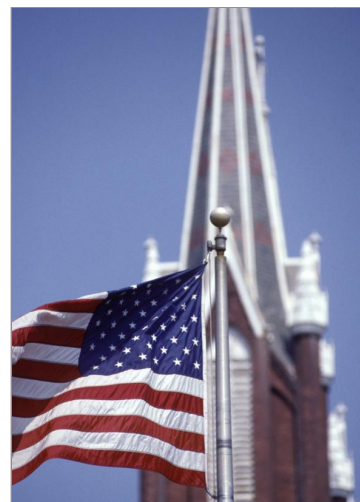
The symbolism would signify unity with Christians throughout the world, appropriately displayed on World Communion Sunday, for example.

**3. The flag can be displayed routinely in other parts of the church campus not devoted to the worship of God.**

This could include the fellowship hall, assembly rooms and other places where it can be seen and appreciated but where it does not threaten to displace the cross as the quintessential symbol of Christianity.

A healthy sense of patriotism is good. But we are Christians first and Americans second. When these words are used together, "Christian" is the noun; "American" the adjective. Our symbolism in worship should reflect that theological truth.

*This is adapted from Walker's October 2001 column in Report from the Capital titled "Patriotism surge raises questions about use of flags in sanctuaries."*



A healthy sense of patriotism is good. But we are Christians first and Americans second.

When these words are used together, 'Christian' is the noun; 'American' the adjective."

— J. Brent Walker

# School wars over religion heating up (again)

Just when First Amendment principles seem to be working in public education, new fights over student religious speech threaten to reignite culture-war battles in schools across the country.

It's little known that many public schools made significant progress toward getting religion right over the past decade. Thanks to consensus guidelines supported by advocacy groups from left to right, I have found that constitutionally protected student religious expression is way up in schools — and unconstitutional school promotion of religion is way down.

If schools now backslide into litigation and shouting matches, administrators who ignore (or misinterpret) the law have only themselves to blame.

On one side of the religion-in-schools fault line, some school officials are too quick to censor student religious expression on the basis of a mistaken understanding of "separation of church and state."

In March, for example, parents in Cresco, Pa., filed a lawsuit challenging a local school's refusal to allow a fifth-grader to give classmates an invitation to a church Christmas party. The school district, it turns out, has a misguided policy barring student speech that "seeks to establish the supremacy of a particular religious denomination, sect, or point of view."

Children, however, are not the government. Students should be free to express their faith — including a conviction that their religion is the best or truest — as long as they don't disrupt the school or interfere with the rights of others. If kids can hand out fliers about secular activities, then they can hand out fliers about faith-based events.

On the other side of the divide, some administrators are still living in the 1950s, when many public schools freely promoted the majority faith. They either didn't get the Supreme Court memo about ending government endorsement of religion in schools, or they choose to ignore what the law requires of schools under the First Amendment.

Consider the elementary school principal in Baltimore whose worries about high-stakes testing led her to call on a Higher Power. On March 5, the principal sponsored her second-annual prayer service "to ask God to bless our school to pass the MSA (Maryland School Assessments)."

What this principal apparently doesn't understand is that school officials represent the state — not the church. When carrying out their duties as administrators and

By Charles Haynes  
First Amendment Center

teachers, they aren't free to take sides in religion. Of course, teachers may — indeed must — teach about religions as part of a good education.

But they may neither inculcate nor denigrate any religion.

These are easy cases. But sometimes First Amendment bright lines are difficult to draw, and that's when courts play an essential role in sorting out the facts and applying constitutional principles fairly.

Case in point is a lawsuit filed March 24 by a high school student against a school district near San Diego. According to the student, school officials suspended him for talking about his Christian faith and barred him from bringing his Bible to school. At first blush, this sounds like another overreaction by administrators who think the First Amendment prohibits student religious expression during the school day.

But the school district (run by a school board dominated by religious conservatives) claims that the student wasn't suspended for religious speech, but for interrupting class as part of a pattern of disruptive behavior. And, they add, he was never told not to bring his Bible to school.

The truth is for a court to decide after weighing the evidence. But whatever the outcome, the case illustrates that sometimes it's difficult to determine the difference between protected and disruptive student religious expression.

Lawsuits, however, should be a last resort, not the first recourse. Most disputes, like the current conflicts in Cresco and Baltimore, can be avoided if administrators understand and uphold the law.

A good starting point would be for school officials to commit to memory former Justice Sandra Day O'Connor's famous description of the difference "between government speech endorsing religion, which the Establishment Clause forbids, and private speech endorsing religion, which the Free Speech and Free Exercise Clauses protect" (*Board of Education of Westside Community Schools v. Mergens*, 1990).

Since blackboards are going the way of mimeograph machines, I would make school officials tweet that 100 times after school.

*Dr. Charles C. Haynes is director of the Religious Freedom Education Project at the Newseum and a senior scholar at the First Amendment Center.*





K. Hollyn Hollman  
General Counsel

## Marking anniversaries and continuing the fight!

This year marks the BJC's 75th year of defending and extending religious liberty for all, a milestone we will celebrate at our annual Religious Liberty Council luncheon. The luncheon is being held in conjunction with the Cooperative Baptist Fellowship's General Assembly in Tampa, Fla., during which CBF will celebrate its 20th anniversary. As I enter my 10th year of service to the BJC, I am thankful for anniversaries. They provide an occasion to pause, if only for a minute, to review the past and look to the future together, joined by our common commitment.

Beginning at the luncheon and continuing through the end of this year, we look forward to sharing our 75th anniversary with you by highlighting how our work today builds on the work of Baptists through the years. There are many stories to tell, and we are honored to kick off the celebration with a great storyteller. The RLC luncheon will feature Dr. James M. Dunn, one whose experience as a religious freedom fighter spans decades and who is widely known for inspiring so many Baptists and others to lift their voice for religious freedom. Those of you who can't be with us will have a chance to see video of his remarks on our website.

It is clear that in the church-state arena many of the challenges we face today are similar to ones that have always been with us. The Religion Clauses of the First Amendment give religion special protection — against government establishment of religion and against interference with the free exercise of religion. Most Americans would agree that our constitutional tradition of religious liberty is a key part of what distinguishes our country, and few would trade our system for those found elsewhere. But, we'd be hard pressed to find a time in our nation's history where we were not engaged in battles about how to interpret

and apply the laws that protect religious freedom.

For example, as we gather this month in Florida, the state legislature just completed a session that included proposals that would promote prayer in public schools, alter public school science education regarding the teaching of evolution, and forbid courts from considering "foreign law" (based on a recent trend that stokes fear of Islam). Each reflects a current twist on long-standing debates about religious freedom.

The most significant religious liberty issue in Florida is one that both reflects a long-standing debate and underscores the need to redouble our efforts. Florida is one of many states that has a "no aid" provision in its constitution, which provides stronger protection against government aid to religion than the First

**"[W]e'd be hard pressed to find a time in our nation's history where we were not engaged in battles about how to interpret and apply the laws that protect religious freedom."**

Amendment's Establishment Clause under current U.S. Supreme Court standards. It is a hurdle for those who think school vouchers are the silver bullet to the educational challenges of the 21st century and want to see government aid flow to religious institutions. The Florida legislature passed a measure for a 2012 ballot initiative that would amend this provision. The last attempt to amend the provision ended in a court battle just three years ago, but the proponents of this measure came back with a revised approach and greater political power.

Seventy-five years is a long time for any organization. It is long enough to build a strong reputation, a network of friends and allies, and the expertise to affect the public conversations. It is not long enough, however, to complete the work of defending and extending religious liberty for all. That work is never done. We must continue to look to our history and to each other for inspiration and encouragement to protect religious freedom for all this year and every year.

## BJC welcomes summer interns

The Baptist Joint Committee is pleased to have three interns working alongside its staff in Washington, D.C., this summer.

Andrew Gardner of Yorktown, Va., is a rising senior at The College of William and Mary, majoring in Religious Studies and History. He is the son of Susie and Brad Gardner and a member of Emmaus Baptist Church in Poquoson, Va. After graduation, Gardner plans to pursue further education in American religious history.

Maddie Lea of Bushy Fork, N.C., is a 2011 graduate of the University of North Carolina at Chapel Hill with Bachelor of Arts degrees in Political Science and French. She is the daughter of Janet and Bert Lea and a member of Salem United Methodist Church. After working with the BJC, Lea plans to attend Campbell University School of Law in Raleigh, N.C.

Logan Lloyd of Newport, Tenn., is a Moyers Scholar at the Wake Forest University School of Divinity. The son of Rich and Debbie Lloyd, he grew up in First Baptist Church of Newport. Lloyd is a 2009 graduate of Transylvania University, where he majored in Math and Religion. He will receive his Masters of Divinity degree in 2012 and is engaged to be married that summer.



Gardner



Lea



Lloyd

## Justice Department joins suit against Bibles in S.C. jail

WASHINGTON — Bibles cannot be the only reading materials allowed in jail, the U.S. Department of Justice said in joining a lawsuit against a South Carolina detention center on April 12.

The original suit, filed by the American Civil Liberties Union on behalf of Prison Legal News last October, charged that the Berkeley County Detention Center's policy of banning all books other than the Bible was unconstitutional.

"The county's religious intolerance tramples our freedom of religion which is a cornerstone of the United States Constitution," said William N. Nettles, the U.S. Attorney for South Carolina, in a statement.

According to the suit, copies of Prison Legal News' journal as well as other publications were thrown away or shipped back.

"The policy in place at the Berkeley County Detention Center is nothing short of censorship, and there is no justification for shutting detainees off from

the outside world in such a draconian way," said David Fathi, director of the ACLU's National Prison Project.

Sandy Senn, an attorney for Sheriff Wayne DeWitt, told The Associated Press she wants to meet with Nettles to discuss the suit, and she said inmates at the facility in Moncks Corner have been allowed to receive any number of soft-sided books since June 2009.

"We've let all sorts of material come in," Senn told The AP.

—Richard Yeakley, Religion News Service

## Bill would strengthen role of religious freedom envoy

WASHINGTON — New legislation proposed by a leading congressional watchdog would push the State Department to make international religious freedom a greater priority.

Rep. Frank Wolf, R-Va., introduced a bill on May 11 that would boost the profile of the ambassador-at-large for religious freedom, require religious freedom training for foreign service officers, and reauthorize an independent panel that monitors restrictions placed on beliefs and practices abroad.

The bill would also require the State Department to report to Congress about concrete measures it has taken toward countries that violate religious rights.

"Religious freedom, often referred to as the first freedom, is of central import to the American experiment," Wolf said. "As such it should feature prominently in U.S. foreign policy."

Wolf authored the 1998 bill that established the State Department's international religious freedom office, created an ambassador-at-large for the issue and founded a bipartisan commission to monitor foreign governments.

President Barack Obama's new religious freedom envoy, the Rev. Suzan Johnson Cook, was confirmed by the Senate in April. Wolf's bill, which was co-sponsored by Rep. Chris Smith, R-N.J., would give Cook and future envoys a direct line to the secretary of state.

It would also require the secretary of state, the Treasury Department and the U.S. Agency for International Development to issue a report to Congress on the best ways to use U.S. aid to promote religious freedom.

In addition, Wolf's bill would reauthorize the independent U.S. Commission on International Religious Freedom, whose nine members are appointed by the White House and Congress.

The commission, due to expire Sept. 30, issues annual reports that flag religious freedom concerns and offers recommendations to the president, State Department and Congress. Critics say the bipartisan commission lacks the teeth to execute its policy recommendations.

—Daniel Burke, Religion News Service



200 Maryland Ave., N.E.  
Washington, D.C. 20002-5797

Phone: 202.544.4226  
Fax: 202.544.2094  
E-mail: [bjc@BJCOnline.org](mailto:bjc@BJCOnline.org)  
Website: [www.BJCOnline.org](http://www.BJCOnline.org)

Non-profit  
Organization  
U.S. Postage  
**PAID**  
Riverdale, MD  
Permit No. 5061

## Baptist Joint Committee Supporting Bodies

- ☐ Alliance of Baptists
- ☐ American Baptist Churches USA
- ☐ Baptist General Association of Virginia
- ☐ Baptist General Conference
- ☐ Baptist General Convention of Missouri
- ☐ Baptist General Convention of Texas
- ☐ Cooperative Baptist Fellowship
- ☐ Cooperative Baptist Fellowship of North Carolina
- ☐ National Baptist Convention of America
- ☐ National Baptist Convention U.S.A. Inc.
- ☐ National Missionary Baptist Convention
- ☐ North American Baptist Conference
- ☐ Progressive National Baptist Convention Inc.
- ☐ Religious Liberty Council
- ☐ Seventh Day Baptist General Conference

## REPORT from the Capital

J. Brent Walker  
Executive Director

Jeff Huett  
Editor

Cherilyn Crowe  
Associate Editor

Report from the Capital (ISSN-0346-0661) is published 10 times each year by the Baptist Joint Committee. For subscription information, please contact the Baptist Joint Committee.

## Recent posts on Blog from the Capital

If you want to stay up on all of the latest church-state news, be sure to visit the Baptist Joint Committee's *Blog from the Capital* at [www.BJCOnline.org/blog](http://www.BJCOnline.org/blog). Updated regularly by blogger Don Byrd, it has news and analysis on a variety of stories affecting religious liberty. Here are some recent items:

### Judge: National Cemetery Can't Prohibit Christian Prayer at Memorial Day Event

When the Department of Veterans Affairs planned for its annual Memorial Day ceremony at the Houston National Cemetery, it naturally sought to include prayer for such a solemn event. Just as naturally, it sought to keep the prayer non-sectarian. After all, soldiers of all faiths have given their lives in service to the country. So, the cemetery director asked Pastor Scott Rainey not to include specific denominational mentions, to keep the invocation as open and inclusive as possible.

So, Rainey did what any self-respecting minister to all people would do when asked to consider the religious beliefs of his entire audience: he went to court. And a federal judge has now enjoined the VA from enforcing this non-sectarian standard, causing the government to back down entirely and allow the prayer to go on as planned. ...

Complicating this story from a legal perspective is the fact that apparently the invocation is sponsored by a private group, though it will be held on hallowed public land. But from a human perspective, this is not complicated. Americans

of all faiths — and those of no faith — are honored on Memorial Day. Their family and friends will be visiting cemeteries to mourn their loss and celebrate their life. And they deserve to hear an invocation solemnizing the event that does its best to speak to them, regardless of particular religious perspective. Any minister whose sensibilities are offended by that notion should think twice about accepting an invitation to pray at such an inclusive, multi-faith event as a community's Memorial Day service, whether a government agency demands it, or not. ...

\* \* \* \*

### Tennessee's Sumner County Responds to Church-State Lawsuit

In response to a sweeping lawsuit alleging numerous church-state violations in its public schools, Tennessee's Sumner County claims that "inevitable church-state involvement" justifies many of the activities in question. ...

The suit charges district officials allowed Gideons International to hand out Bibles to students, prayers over an elementary school loudspeaker, a youth pastor's weekly visits with middle school students during lunch and a middle school teacher's hanging of a cross over her whiteboard. ...

As I posted earlier, I'm especially interested to see how the issue of youth pastor visits plays out. *The Tennessean's* article doesn't indicate the county's response on that claim. As for Gideons, what's so "inevitable" about having them in school? Just say no.

